

REMARKS/ARGUMENTS

This is a Response to the Office Action mailed March 7, 2006, in which a three (3) month Shortened Statutory Period for Response has been set, due to expire June 7, 2006. Fifty-nine (59) claims, including seven (7) independent claims, were paid for in the application. Claim 28 has been canceled. Claims 27, 29 and 32 are currently amended. No new matter has been added to the application. No fee for additional claims is due by way of this Amendment. The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090. Claims 1-27 and 29-59 are pending.

Rejections Under 35 U.S.C. § 102(b)

Claims 27-28 and 32-34 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,645,327 (hereinafter Austin et al.).

In rejecting the claims the Office Action states that “[i]t appears that the location indicator 42 is carried by the media 100.” Office Action mailed March 7, 2006, page 2. Location indicator 42 is illustrated in Figures 2 and 7-9 of Austin et al., and is discussed at col. 6, lines 47-65, and col. 9, lines 11-33.

In particular, Figure 2 shows the interior elements of a printer. Austin et al., col. 4, lines 55-56. The corresponding discussion related to element 42 states “[t]he strip 110 extends from the rollers 38, 40 past a tag gap sensor 42 that verifies the location of the beginning of a tag and measures the length of the tag, in much the same manner that the label gap sensor 10 operates, to index the tag with the label to which it is to be applied.” Austin et al., col. 6, lines 54-58. The explanation of the operation of the label gap sensor 10 makes clear that such a sensor must be part of the printer, otherwise the sensor could not function to sense gaps between labels or tags as the media moves past the sensor. Austin et al., col. 5, lines 47-64. Thus, the tag gap sensor is clearly part of the printer 2, rather than being carried by the media (*i.e.*, strip 110).

Likewise, Figures 7-9 show an apparatus for applying electronic tags to labels. Austin et al., col. 5, lines 1-10. The corresponding discussion related to element 42 states “the apparatus includes a tag supply roller 34, guide plate 36, guide rollers 38, 40, tag gap sensor 42, ...”. Austin et al., col. 9, lines 12-16. Thus, the tag gap sensor is clearly part of the apparatus, rather than being carried by the media (*i.e.*, label or media stock 102).

Claim 27 as amended recites, *inter alia*, “at least one location indicator *carried by the media*, the at least one location indicator indicating a position of at least one of the radio

frequency identification circuits on the media.” (Emphasis added.) As discussed above, Austin et al. teaches the inclusion of a tag gap sensor 42 as part of the printer or media handling apparatus, rather than as a component of the media itself. It is respectfully submitted that claim 27 is thus patentable over the applied reference.

Applicants also note that the tag gap sensor 42 is a structural device, and cannot be “printed” as recited by claims 30 and 32. It is respectfully submitted that claims 30 and 32 are thus patentable over the applied reference, without regard to their dependency from claim 27.

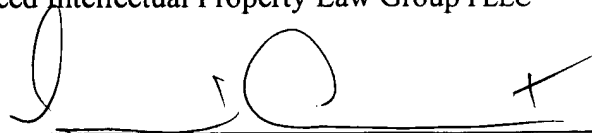
Conclusion

Applicants thank the Examiner for allowing claims 1-26 and 35-59, and for indicating the allowable subject matter of claims 29 and 31. Overall, the cited reference does not teach or suggest the claimed features of the embodiment recited in independent claim 27, and thus such claim is allowable. Because claims 29-34 depend from the allowable independent claim 27, and also because they include additional limitations, such claims are likewise allowable. If the undersigned attorney has overlooked a relevant teaching in the cited reference, the Examiner is requested to point out specifically where such teaching may be found.

In light of the above amendments and remarks, Applicants respectfully submit that all pending claims are allowable. Applicants, therefore, respectfully request that the Examiner reconsider this application and timely allow all pending claims. Examiner Lieu is encouraged to contact Mr. Abramonte by telephone to discuss the above and any other distinctions between the claims and the applied reference, if desired. If the Examiner notes any informalities in the claims, she is encouraged to contact Mr. Abramonte by telephone to expediently correct such informalities.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC



Frank Abramonte
Registration No. 38,066

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
(206) 622-4900
Fax: (206) 682-6031
(FXA:lrw) 767865_1